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Board of Vocational Nursing
and Psychiatric Technicians

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**BEFORE THE
BUREAU OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. VN 1999-1541

**DONNICE RENEE SAADIQ, a.k.a.
DONNICE RENEE HARRISON**
3400 Big Island Road
West Sacramento, California 95691

A C C U S A T I O N

Vocational Nurse License No. VN 150336

Respondent.

Teresa Bello-Jones, J.D., M.S.N., R.N. ("Complainant") alleges:

PARTIES

1. Complainant brings this Accusation solely in her official capacity as the Executive Officer of the Bureau of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.

License History

2. On or about October 23, 1990, the Bureau issued Vocational Nurse License Number VN 150336 ("license") to Donnice Renee Saadiq, also known as Donnice Renee Harrison ("Respondent"). The license expires on June 30, 2010.

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JURISDICTION

3. Section 2875 of the Business and Professions Code ("Code") states, in pertinent part, that the Bureau of Vocational Nursing and Psychiatric Technicians ("Bureau") may discipline the holder of a vocational nurse license for any reason provided in Article 3 (commencing with Code section 2875) of the Vocational Nursing Practice Act.

4. Code section 477, subdivision (a), provides that a "[b]oard" includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency."

5. Code section 101.1, subdivision (b)(1), provides that "[i]n the event that any board, as defined in Section 477, becomes inoperative or is repealed in accordance with the act that added this section, or by subsequent acts, the Department of Consumer Affairs shall succeed to and is vested with all the duties, powers, purposes, responsibilities and jurisdiction not otherwise repealed or made inoperative of that board and its executive officer."

6. Code section 118, subdivision (b), states, in pertinent part, that the expiration of a license shall not deprive the Bureau of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Code section 2878 states, in pertinent part:

The Board may suspend or revoke a license issued under this chapter [the Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)] for any of the following:

(a) Unprofessional conduct, . . .

(f) Conviction of a crime substantially related to the qualifications, functions, and duties of a licensed vocational nurse, in which event the record of the conviction shall be conclusive evidence of the conviction.

8. Code section 2878.5 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Vocational Nursing Practice Act] it is unprofessional conduct for a person licensed under this chapter to do any of the following:

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1 (b) Use any controlled substance as defined in Division 10 of the
2 Health and Safety Code, or any dangerous drug as defined in Article 8
3 (commencing with Section 4210) of Chapter 9 of Division 2 of this
4 code, or alcoholic beverages, to an extent or in a manner dangerous or
injurious to himself or herself, any other person, or the public, or to the
extent that such use impairs his or her ability to conduct with safety to
the public the practice authorized by his or her license.

5 (c) Be convicted of a criminal offense involving possession of
6 any narcotic or dangerous drug, or the prescription, consumption,
7 or self-administration of any of the substances described in
subdivisions (a) and (b) of this section, in which event the record
of the conviction is conclusive evidence thereof.

8 9. Code section 2878.6 states, in pertinent part:

9 A plea or verdict of guilty or a conviction following a plea of nolo
10 contendere made to a charge substantially related to the qualifications,
11 functions and duties of a licensed vocational nurse is deemed to be a
12 conviction within the meaning of this article. . . irrespective of a subsequent
order under the provisions of Section 1203.4 of the Penal Code allowing
such person to withdraw his plea of guilty . . . , or setting aside the verdict
of guilty, or dismissing the accusation, information or indictment.

13 COST RECOVERY

14 10. Code section 125.3 provides, in pertinent part, that the Bureau may request the
15 administrative law judge to direct a licentiate found to have committed a violation or violations
16 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
17 enforcement of the case.

18 FIRST CAUSE FOR DISCIPLINE

19 (Criminal Convictions)

20 11. Respondent has subjected her license to disciplinary action under Code section
21 2878, subdivision (f), in that Respondent was convicted of crimes substantially related to the
22 qualifications, functions or duties of a vocational nurse, as follows:

23 a. On or about February 19, 2003, in the Superior Court of California,
24 County of Sacramento, in the case titled , *People of the State of California v. Donnice Renee*
25 *Harrison* (Super. Ct. Sacramento County, 2003, Case No. 02F11043), Respondent was convicted
26 on her plea of nolo contendere of violating Vehicle Code section 23152, subdivision (a) [driving
27 under the influence of alcohol and/or drug or under their combined influence] with one prior, a
28 misdemeanor. Among other things, Respondent was initially sentenced to four years formal

1 probation and her driver's license was suspended for three years. The probation was later
2 modified to informal probation. The circumstances are as follows: On or about December 16,
3 2002, Respondent drove a vehicle while under the influence of alcohol or any drug, or their
4 combination:

5 b. On or about April 5, 2000, in the Municipal Court of California, County of
6 Alameda, in the case titled *People of the State of California v. Donnice R. Harrison* (Muni. Ct.
7 Alameda County, 2000, Case No. 187626-8), Respondent was convicted on her plea of no
8 contest of one count of violating Vehicle Code section 23152, subdivision (a) [driving under the
9 influence of alcohol and/or drugs or under their combined influence – with great bodily injury], a
10 misdemeanor.

11 The circumstances are as follows: On or about January 30, 2000, Respondent,
12 while unlicensed, drove a vehicle while under the influence of alcohol or drugs or their combined
13 influence, when she entered a major intersection in Fremont, California, against a red signal
14 light. Respondent hit a vehicle inflicting great bodily harm on victims S.H. and L.A.S. Respon-
15 dent was charged with felony violations of Vehicle Code section 23153, subdivision (a), and two
16 counts of violating Penal Code section 12022.7, subdivision (a), and inflicting great bodily harm
17 on the two victims.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Convictions Involving Alcoholic Beverages and/or Drugs)**

20 12. Respondent has subjected her license to disciplinary action under Code section
21 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code
22 section 2878.5, subdivision (c), in that Respondent was convicted of crimes involving the
23 consumption of alcoholic beverages and/or drugs, as set forth in paragraph 11, above.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Use Alcohol Beverages and/or Drugs in a Manner Dangerous or Injurious)**

26 13. Respondent has subjected her license to disciplinary action under Code section
27 2878, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section
28 2878.5, subdivision (b), in that Respondent used alcoholic beverages and/or drugs in a manner


1 dangerous or injurious to herself, any other person, or the public, as set forth in paragraph 11,
2 above.

3 **PRAYER**

4 **WHEREFORE**, Complainant requests that a hearing be held on the matters
5 herein alleged, and that following the hearing, the Director of Consumer Affairs issue a decision:

- 6 1. Revoking or suspending Vocational Nurse License Number VN 78277
7 issued to Donnice Renee Saadiq, also known as Donnice Renee Harrison;
- 8 2. Ordering Donnice Renee Saadiq, also known as Donnice Renee Harrison
9 to pay the Bureau the reasonable costs of the investigation and enforcement of this case, pursuant
10 to Code section 125.3; and,
- 11 3. Taking such other and further action as deemed necessary and proper.

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13 DATED: December 16, 2008

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17 TERESA BELLO-JONES, J.D., M.S.N., R.N.
18 Executive Officer
19 Bureau of Vocational Nursing and Psychiatric Technicians
20 Department of Consumer Affairs
21 State of California
22 Complainant
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